# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

| AFFYMETRIX, INC., a Delaware corporation,  Plaintiff/Counter-Defendant, | )<br>)<br>)                   |
|---|-------------------------------|
| v.  | ) Civil Action No. 04-901-JJF |
| ILLUMINA, INC., a Delaware corporation,                                 | )                             |
| Defendant/Counter-Plaintiff.  | )<br>)<br>_)                  |

### MOTION AND ORDER FOR ADMISSION PRO HAC VICE

Pursuant to Local Rule 83.5 and the attached certifications, counsel moves for the admissions *pro hac vice* of Kenneth H. Bridges, Alice Hsieh and Russell Tonkovich of the law firm of Kirkland & Ellis to represent Defendant Illumina, Inc. in this matter.

| Dated: December 2, 2005 | /s/ Richard K. Herrmann                     |
|-------------------------|---|
|                         | Richard K. Herrmann (#405)                  |
|                         | MORRIS, JAMES, HITCHENS &                   |
|                         | WILLIAMS LLP                                |
|                         | 222 Delaware Avenue, 10 <sup>th</sup> Floor |
|                         | Wilmington, Delaware 19801                  |
|                         | (302) 888-6800                              |
|                         | rherrmann@morrisjames.com                   |
|                         |   |
|                         |   |

# Attorneys for Defendant ILLUMINA, INC.

### ORDER GRANTING MOTION

| IT IS HEREBY ORDERED that counsel's motion for admission pro hac vice is granted | d |
|--|---|
|--|---|

| Date: |                              |
|-------|------------------------------|
|       | United States District Judge |

# CERTIFICATION BY COUNSEL TO BE ADMITTED PRO HAC VICE

Pursuant to Local Rule 83.5, I certify that I am eligible for admission to this Court, am admitted, practicing and in good standing as a member of the Bar of the State of Illinois and pursuant to Local Rule 83.6 submit to the disciplinary jurisdiction of this Court for any alleged misconduct which occurs in the preparation or course of this action. I also certify I am generally familiar with this Court's Local Rules.

Date: December , 2005

Signed: /humany

Kenneth H. Bridges, Esq. Kirkland & Ellis 555 California Street

San Francisco, CA 94104

(415) 439-1400

## CERTIFICATION BY COUNSEL TO BE ADMITTED PRO HAC VICE

Pursuant to Local Rule 83.5, I certify that I am eligible for admission to this Court, am admitted, practicing and in good standing as a member of the Bar of the State of New York and pursuant to Local Rule 83.6 submit to the disciplinary jurisdiction of this Court for any alleged misconduct which occurs in the preparation or course of this action. I also certify I am generally familiar with this Court's Local Rules.

Date: December 2, 2005

Signed:

Alice Hsieh, Esq.

Kirkland & Ellis

555 California Street

San Francisco, CA 94104

(415) 439-1400

## CERTIFICATION BY COUNSEL TO BE ADMITTED PRO HAC VICE

Pursuant to Local Rule 83.5, I certify that I am eligible for admission to this Court, am admitted, practicing and in good standing as a member of the Bar of the State of California and pursuant to Local Rule 83.6 submit to the disciplinary jurisdiction of this Court for any alleged misconduct which occurs in the preparation or course of this action. I also certify I am generally familiar with this Court's Local Rules.

Date: December \, 2005

Russell Tonkovich, Esc

Kirkland & Ellis 555 California Street San Francisco, CA 94104 (415) 439-1400

# **CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of December, 2005, I electronically filed the foregoing document, **MOTION AND ORDER FOR ADMISSION PRO HAC VICE**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

MaryEllen Noreika, Esq. Morris Nichols Arsht & Tunnell 1201 Market Street Wilmington, DE 19801

Additionally, I hereby certify that on the 2<sup>nd</sup> day of December, 2005, the foregoing document was served via facsimile on the following non-registered participants:

Daniel R. Reed, Esq. Affymetrix, Inc. 6550 Vallejo Street, Suite 100 Emeryville, CA 94618 Facsimile: 510-428-8583

/s/ Richard K. Herrmann

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